

**IN THE UNITED STATES DISTRICT COURT FOR
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

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VS.

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CR. NO. 02-00190-CG

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DAVID MICHAEL SWINDLE,

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Defendant.

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ORDER

This matter is before the court on the United States' Motion Filed Pursuant to F.R.C.P. 35, requesting reduction of sentence for substantial assistance in a criminal prosecution.

Upon due consideration and based on the grounds cited, the United States' motion is **GRANTED**. Therefore, it is **ORDERED** that defendant David Michael Swindle's sentence as set out in the judgment entered on January 8, 2004, (Doc. 195) hereby is amended, and his term of imprisonment as to Count 1 is reduced from fifty-seven (57) months to forty-three (43) months. All other terms and conditions of the sentence and judgment remain the same.

DONE AND ORDERED this 7th day of December, 2006.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE